

Message Text

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PAGE 01 STATE 072360
ORIGIN L-03

INFO OCT-01 ARA-06 ISO-00 SCS-03 H-01 DHA-02 SCA-01
CIAE-00 INR-07 NSAE-00 PA-01 USIA-06 PRS-01 SP-02
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-----021121Z 031683 /15
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FM SECSTATE WASHDC
TO AMEMBASSY LA PAZ

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E.O. 11652: N/A

TAGS: CASC, BL

SUBJECT: AMERICAN PRISONERS IN BOLIVIA

REF: LA PAZ 2268

1. RE PARAGRAPH 4 REFTTEL, DEPARTMENT DOES NOT EXPECT PROMPT SENATE ACTION ON EITHER MEXICAN OR CANADIAN PRISONER EXCHANGE TREATIES. LENGTHY HEARINGS CAN BE ANTICIPATED IN VIEW OF EXPRESSED CONCERN OF KEY SENATORS. ALSO, WE EXPECT SIGNIFICANT NON-GOVERNMENTAL INTEREST IN THESE HEARINGS, E.G., AMERICAN BAR ASSOCIATION, AMERICAN CIVIL LIBERTIES UNION AND OTHER PROFESSIONAL AND PUBLIC GROUPS. THE LONGER THE HEARINGS, THE MORE PROTRACTED THE ADVICE AND CONSENT PROCEDURE WILL BE. HEARINGS COULD GENERATE LIVELY FLOOR DEBATE. AT ANY RATE, IT WOULD NOT SEEM APPRO-
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PRIATE TO PURSUE A BOLIVIAN AGREEMENT AT THIS TIME. PURSUIT OF SUCH AN INITIATIVE COULD BE HARMFUL TO THE INTERESTS OF AMERICANS PRESENTLY WITHIN THE BOLIVIAN JUDICIAL PROCESS. THERE IS DANGER THAT BOLIVIAN JUDGES MIGHT SEIZE UPON SUCH NEGOTIATIONS AS AN OPPORTUNITY TO IMPOSE SEVERE PENALTIES IN THE EXPECTATION THAT THESE PENALTIES WOULD BE SERVED IN THE UNITED STATES. FINALLY, THE DEPARTMENT

FEELS THAT BOLIVIAN JUDICIARY MUST BE HELD TO COMMITMENT
TO MOVE EXPEDITIOUSLY ON THE AMERICAN CASES. GOB

ASSERTIONS THAT IT INTENDS TO PROCESS THESE CASES EXPEDITIOUSLY AND ITS ACTIONS TO FACILITATE THESE ASSURANCES ARE APPRECIATED AND MUST BE HONORED. WE WOULD NOT WANT, IN ANY WAY, TO ENCOURAGE BOLIVIAN JUDICIARY TO FURTHER DELAY THESE CASES, ESPECIALLY THOSE CASES INVOLVING DEFENDANTS WHOSE STATE OF PSYCHIATRIC HEALTH IS AT ISSUE, THOSE CASES IN WHICH THERE HAS BEEN CLEAR DENIAL OF JUSTICE, AND THOSE CASES INVOLVING ONLY MINOR CHARGES.

2. RE PARAGRAPH 5 REFTL, THE OFFICE OF THE LEGAL ADVISER NOTES THAT IT WOULD BE INAPPROPRIATE FOR THE DEPARTMENT TO SEEK JUSTICE DEPARTMENT INITIATION OF CHARGES AGAINST AMERICAN PRISONERS IN BOLIVIA. IF THERE IS EVIDENCE AGAINST THESE PRISONERS, SUCH EVIDENCE SHOULD BE PRESENTED TO THE APPROPRIATE US ATTORNEY BY THE DEA, WHICH HAS LAW ENFORCEMENT RESPONSIBILITY IN THIS AREA. (FYI - DEPT IS AWARE THAT THERE ARE OR HAVE BEEN CHARGES AGAINST KENNETH MCDONALD IN THE US DISTRICT COURT OF SEATTLE, WASHINGTON, BUT IT IS NOT ADVISED OF ANY INDICTMENTS INVOLVING OTHER PRISONERS. END FYI). IF EMBASSY WISHES TO PURSUE THIS LINE, IT SHOULD DO SO THROUGH DEA SAIC, WHICH WOULD BE THE PROPER CHANNEL.
CHRISTOPHER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: PRISONERS WELFARE
Control Number: n/a
Copy: SINGLE
Sent Date: 02-Apr-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770114-0481
Format: TEL
From: STATE
Handling Restrictions: n/a
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Legacy Key: link1977/newtext/t19770495/aaaadfcw.tel
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Litigation Codes:
Litigation History:
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